

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THOMAS SCHANSMAN, <i>et al.</i> ,	:	
	:	1:19-cv-02985 (ALC) (GWG)
<i>Plaintiffs,</i>	:	
	:	Hon. Andrew L. Carter, Jr.
v.	:	
	:	
SBERBANK OF RUSSIA PJSC, <i>et al.</i> ,	:	
	:	
<i>Defendants.</i>	:	
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**MEMORANDUM OF LAW IN SUPPORT OF
MOTION FOR LEAVE TO WITHDRAW**

Debevoise & Plimpton LLP (“Debevoise”) respectfully submits this memorandum of law in support of its motion for leave to withdraw as counsel of record for Defendant Sberbank of Russia (“Sberbank”) in the above-captioned action, in accordance with Rule 1.4 of the Local Rules for the United States District Courts for the Southern and Eastern Districts of New York (“Local Rules”), and Rule 1.16 of the New York Rules of Professional Conduct. Debevoise seeks this Court’s permission to withdraw from its representation of Sberbank effective June 24, 2022, or, if earlier, the date on which replacement counsel files a notice of appearance in this matter on behalf of Sberbank.

Debevoise first advised this Court in March 2022 that it intended to withdraw from representing Sberbank in this case, and that Sberbank and its counsel of record were actively seeking replacement counsel. *See* Request for Pre-Motion Conference on Motion to Stay This Action as to Sberbank Pending Substitution of Counsel, ECF No. 299. Sberbank has identified capable replacement counsel prepared to represent it in this matter, and is in the process of finalizing the engagement of that firm. Sberbank anticipates that the engagement process will be

completed before June 24, 2022. Declaration of William H. Taft V in Support of Motion for Leave to Withdraw (“Declaration”), ¶ 4. Sberbank has consented to Debevoise seeking to withdraw from its representation of Sberbank in this matter effective June 24, 2022, or, if earlier, the date on which replacement counsel appears. *Id.* ¶ 3. The proposed outside date of June 24, 2022 affords sufficient time to complete the formal engagement process, reducing the risk of any gap in Sberbank’s legal representation. Debevoise’s withdrawal is accordingly consistent with the New York Rules of Professional Conduct. *See* N.Y. Rules of Prof’l Conduct R. 1.16(c)(10) (permitting withdrawal where “the client knowingly and freely assents to termination of the employment”). Plaintiffs have previously advised this Court that they “have no objection to Debevoise . . . withdrawing as Sberbank of Russia’s counsel of record.” Plaintiffs’ Memorandum of Law in Opposition to Sberbank of Russia’s Motion for a Stay of the Litigation, ECF No. 308, at 2.

Debevoise is not presently asserting any retaining or charging liens against Sberbank and the present posture of the case permits substitution of counsel with minimal disruption. *See* Local Rules 1.4 (providing that a motion to withdraw “may be granted only upon a showing by affidavit or otherwise of satisfactory reasons for withdrawal or displacement and the posture of the case, including its position, if any, on the calendar, and whether or not the attorney is asserting a retaining or charging lien); Declaration ¶ 6. Plaintiffs’ Request for Formal Briefing of Proposed Motion to Compel the Production of Documents from Defendant Sberbank of Russia PJSC, ECF No. 336, is currently pending before Judge Gorenstein, and Sberbank, by undersigned counsel, will respond to that request later today in accordance with the Court’s Order dated June 1, 2022, ECF No. 339. There are no other pending filing deadlines or appearances scheduled for Sberbank. Sberbank has fully briefed its pending motions for

reconsideration, to dismiss the complaint for lack of subject-matter jurisdiction under the Foreign Sovereign Immunities Act, and to stay discovery pending a decision on its motion to dismiss, *see* ECF Nos. 277, 323, 290, and the Parties remain in the early stages of discovery.

For the foregoing reasons, Debevoise respectfully requests that the Court grant its motion to withdraw as counsel of record for Defendant Sberbank effective the earlier of June 24, 2022 or the date that replacement counsel appears.

Dated: June 2, 2022
New York, New York

Respectfully Submitted,

DEBEVOISE & PLIMPTON LLP

/s/ William H. Taft V
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